

REMARKS

Claims 1-18 are pending in the application (Claims 19 and 20 have been renumbered as Claims 17 and 18).

Claims 1-18 have been rejected.

Claims 7, 16 and 17 have been canceled, without prejudice.

Claims 1, 9 and 12 have been amended, as set forth herein.

I. OBJECTION TO CLAIMS 17 and 18

Claims 19 and 20 were misnumbered, and these claims have been renumbered as Claims 17 and 18. In addition, renumbered Claim 17 has been canceled, without prejudice.

II. REJECTION UNDER 35 U.S.C. § 102

Claims 1-10, 12-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Smith (US Patent Application Publication No. 2002/0042277). The rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

To further prosecution, Applicant has amended independent Claim 1. Independent Claim 1 now recites: (1) receiving a first request message from a multimedia server in response to the multimedia server receiving an emergency request message from user equipment (UE), and (2) receiving a location response in response to communicating the location request, the location response comprising location information of the UE.

The Office Action appears to argue that Smith's information request 85 from the company representative 81 (or the SIP server 73) reads on receiving a first request message from a multimedia

server. As a result, either the company representative 81 or the SIP server 73 must read on the Applicant's multimedia server. Though Applicant does not believe that the company representative 81 can be deemed a multimedia server, this issue is irrelevant in light of the amendments made to independent Claim 1.

Independent Claim 1 now recites "receiving a first request message from a multimedia server in response to the multimedia server receiving an emergency request message from user equipment (UE)." Smith's Figure 6 does not disclose or describe that the company representative 81 issues a request message in response to the company representative 81 receiving an emergency request message from user equipment (UE). Arguably, the SIP server 73 may appear to meet the amended language because the company representative 81 may be construed as "user equipment", but Applicant respectfully submits that the information request 85 from the company representative 81 to the server 73 is not "an emergency request message" - as that term is used and described in Applicant's specification. In addition, Claim 1 also now recites "receiving a location response in response to communicating the location request, the location response comprising location information of the UE." It appears that the location information in Smith's location response 89, 91 is not location information about the user equipment that issued an emergency request message to the multimedia server. Instead, the location information sent to the SIP server 73 is for other user equipment in the subscriber profile 79 - which constitute subscribers described in Figure 5 (subscribers 63, 68, 74) and not the company representative 81. Therefore, the location response disclosed in Smith does not include location information of the UE that issued the emergency request message - as recited in independent Claim 1. Applicant's disclosure is directed to obtaining location information of a mobile device (or user equipment) which initiates an emergency request message (e.g., such as a 911 call) and the location information is obtained and eventually sent to an emergency center (EC) to identify where the calling user equipment is located. Therefore, Applicant respectfully submits that Smith fails to disclose each and every element arranged as they are in independent Claim 1.

Independent Claim 12 has been similarly amended to recite (1) receiving a first request message from a multimedia server in response to the multimedia server receiving an emergency request message from user equipment (UE), and (2) receiving a routing information acknowledgement in response to communicating the request for routing information, the routing information acknowledgement comprising at least a one of: location information of the UE and routing information associated with the UE enabling a request for location information of the UE. In addition, independent Claim 9 has been substantially amended and recites similar limitations. For the same or similar reasons set forth above addressing the 102 rejection of independent Claim 1, Applicant respectfully submits these claims are also not anticipated.

Accordingly, the Applicant respectfully requests the Examiner withdraw the § 102(b) rejection of Claims 1-6, 8-10, 12-15 and 18 (Claims 7, 16 and 17 have been canceled, without prejudice).

III. REJECTION UNDER 35 U.S.C. § 103

Claims 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over by Smith (US Patent Application Publication No. 2002/0042277) in view of Takeda (US Patent No. 7,286,520). The rejection is respectfully traversed.

As set forth above, Smith fails to disclose certain elements in amended independent Claim 9 (from which Claim 11 depends), and the cited portions of Takeda fail to disclose, teach or suggest those elements. Therefore, the combination of Smith and Takeda fails to establish a prima facie case of obviousness.

Accordingly, the Applicant respectfully requests withdrawal of the § 103(a) rejection of Claim 11.

IV. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *rmccutcheon@munckcarter.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK CARTER, P.C.

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Robert D. McCutcheon
Registration No. 38,717

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3632 (direct dial)
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: *rmccutcheon@munckcarter.com*